

Hon. Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUAN GALLINAL, ALI LOVINS,
THOMAS BROOKE, CRAIG GREER,
and KEVIN KOGAN,

Defendants.

No. CR14-165RAJ

ORDER CONTINUING
PRETRIAL MOTIONS
DEADLINE AND TRIAL DATE

The court has considered the joint defense motion to continue the trial date and the government response thereto. For the reasons set forth in the motion and below, the court finds that the parties have exercised and are exercising due diligence in the discovery and trial preparation process, within the meaning of 18 U.S.C. § 3161(h)(7)(A), and that the requested continuance would promote substantial justice. The court finds that the failure to grant the requested continuance would likely result in a miscarriage of justice.

The court further finds, based on the nature of the allegations contained in the indictment and the representations of counsel concerning discovery, that the case is


1 unusual and complex due to the number of defendants, the nature of the prosecution
2 and the existence of potentially novel questions of law and fact. It would therefore
3 be unreasonable to expect adequate preparation for pre-trial motions or the trial,
4 itself, within the normal time limits established by 18 USC § 3161.

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6 The court further finds, pursuant to 18 U.S.C. § 3161(h)(7)(A), that the ends
7 of justice outweigh the interests of the public and the defendants in a speedy trial in
8 this matter.

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10 IT IS THEREFORE ORDERED that the motion to continued trial date on
11 behalf of Defendants Gallinal, Lovins, Brooke, Greer and Kogan (Dkt. #61) is
12 GRANTED. The trial in this matter is continued from August 18, 2014 to May 18,
13 2015. All pretrial motions, including motions in limine, shall be filed no later than
14 March 19, 2015.

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16 IT IS FURTHER ORDERED that the period of time from the date of this
17 order, up to and including the new trial date of May 18, 2015, shall be excludable
18 time under the Speedy Trial Act, 18 U.S.C. § 3161 *et.seq.*

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20 DATED this 7th day of August, 2015.

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23 The Honorable Richard A. Jones
24 United States District Judge
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